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2 A Limited Liability Partnership  
3 Including Professional Corporations  
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12 Attorneys for Specially Appearing Third-Party Defendant and Cross-Claim Defendant  
13 IDEAL JACOBS (MALAYSIA) CORPORATION BHD  
14 (erroneously sued as IDEAL JACOBS MALAYSIA CORPORATION)

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA

17 SONDRA J. ALLPHIN,

18 Case No. CV-13-01338 BLF

19 Plaintiff,

20 **STIPULATION AND [REDACTED]**  
21 **REGARDING JURISDICTIONAL**  
22 **DISCOVERY PLAN**

23 vs.  
24 PETER K FITNESS, LLC; PETER T  
25 KOFITSAS; FULCO FULFILLMENT,  
26 INC.; and DOES 1-50, inclusive,

27 Defendants.

28 \_\_\_\_\_  
29 PETER K FITNESS, LLC, a New Jersey  
30 Limited Liability Company,

31 Third-Party Plaintiff

32 vs.  
33 IDEAL JACOBS CORPORATION, IDEAL  
34 JACOBS (XIAMEN) CORPORATION,  
35 ANSWER CONRAD JACOBS, IDEAL  
36 JACOBS MALAYSIA CORPORATION

37 Third-Party Defendants.

38 \_\_\_\_\_  
39 FULCO FULFILLMENT, INC.,

1 || Cross-Claimant,

2 | VS.

3 PETER K FITNESS, LLC; PETER T.  
4 KOFITSAS; ANDREW CONRAD  
5 JACOBS; IDEAL JACOBS  
CORPORATION; IDEAL JACOBS  
(XIAMEN) CORPORATION; IDEAL  
JACOBS (MALAYSIA) CORPORATION,

### Cross-Claim Defendants.

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1 WHEREAS, the parties were Ordered by the Court on December 11, 2014 as  
2 follows:

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4 Fulco and Peter K. Fitness's requests to engage in jurisdictional discovery  
5 are GRANTED. The parties shall meet and confer with IJ Malaysia to  
6 outline a jurisdictional discovery plan.<sup>3</sup> A stipulation regarding this  
7 discovery plan shall be due to the Court no later than December 18, 2014,  
8 and the discovery schedule should be expedited in light of the upcoming  
9 April 2015 trial in this case.

10  
11 Footnote 3 Any and all discovery disputes with regard to jurisdictional  
12 discovery should be brought to this Court, and not the referred Magistrate  
13 Judge, in the form of a letter brief not to exceed three pages.

14  
15 WHEREAS, the parties met and conferred on December 15, 2014. PETER K  
16 FITNESS, LLC ("PK Fitness") and FULCO FULFILLMENT, INC. ("Fulco") propounded  
17 requests for production and interrogatories on December 16, 2014, and the parties met and  
18 conferred again on December 17, 2014. IDEAL JACOBS (MALAYSIA)  
19 CORPORATION BHD (erroneously sued as IDEAL JACOBS MALAYSIA  
20 CORPORATION) ("Ideal Malaysia") has agreed to respond to the requests for production  
21 by December 22, 2014, and the interrogatories by December 23, 2014. Ideal Malaysia has  
22 offered to allow the deposition of Ideal Malaysia Executive Director, Finance and Chief  
23 Financial Officer Sy Chen. Fulco and PK Fitness have expressed a desire to depose Ben  
24 Ming, who Fulco and PK Fitness contend is listed as the Managing Director of Ideal  
25 Malaysia on the website and other publications. Ideal Malaysia contends that in fact Ben  
26 Ming is not an employee of Ideal Malaysia, and that Mr. Chen is the most senior officer  
27 and employee of Ideal Malaysia.

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1 Fulco and PK Fitness have expressed an intent to take a second deposition of  
2 Andrew Jacobs, identified as Chairman of the Board of Ideal Malaysia and serve additional  
3 written discovery as well. Ideal Jacobs Corporation ("Ideal Jacobs US") has objected to  
4 any further discovery requests or a second deposition of Andrew Jacobs. Fulco and PK  
5 Fitness dispute this..

6 The parties intend, consistent with the Court's Order, to attempt to come to  
7 agreement on as many issues as possible, and only if necessary, bring the remaining  
8 disputes to this Court.

9

10 THE PARTIES HERETO STIPULATE THAT:

11 Ideal Malaysia will provide written responses to the requests for production by  
12 December 22, 2014, and to the interrogatories by December 23, 2014, and produce  
13 documents by December 29, 2014.

14

15 IT IS SO ORDERED.

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17 Dated: December 18, 2014

  
The Honorable Beth Labson Freeman

18

19 Dated: December   , 2014

20 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

21

22 Bv

  
/s/ James E. Curry

23

JAMES E. CURRY  
DYLAN J. PRICE

24

Attorneys for Third-Party Defendant  
and Cross-Claim Defendant  
IDEAL JACOBS (MALAYSIA)

25

CORPORATION BHD (erroneously sued as  
IDEAL JACOBS MALAYSIA CORPORATION)

26

27

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1 Dated: December 18, 2014

2 STONE & ASSOCIATES

3 By



4 JULIET MACMILLAN LOMPA  
5 COLLETTI, STONE  
6 Attorneys for Defendant,  
7 Cross-Claimant, Third Party Plaintiff  
8 PETER K FITNESS, LLC; and Defendant  
9 PETER T KOITSAS

10 Dated: December 18, 2014

11 LeClairRyan, LLP

12 By



13 MICHAEL WAUGH, III

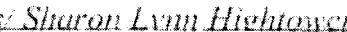
CHARLES HORN

14 Attorneys for Defendant, Cross-Claim Defendant,  
15 Cross-Claimant  
16 FULCO FULFILLMENT, INC.

17 Dated: December 18, 2014

18 ERICKSEN ARBUTHNOT, et al.

19 By



20 SHARON LYNN HIGHTOWER

21 Attorneys for Third-Party Defendant  
22 IDEAL JACOBS CORPORATION

1 Dated: December 1, 2014

2 STONE & ASSOCIATES

3 By *s/ Juliet MacMillin Lompa*  
4 JULIET MACMILLIN LOMPA  
5 COLLETTE F. STONE  
6 Attorneys for Defendant,  
7 Cross-Claimant, Third Party Plaintiff  
8 PETER K FITNESS, LLC; and Defendant  
9 PETER T. KOFITSAS

10 Dated: December 18, 2014

11 LeClairRyan, LLP  
12 By   
13 MICHAEL WAUGHTEL  
14 CHARLES HORN  
15 Attorneys for Defendant, Cross-Claim Defendant,  
16 Cross-Claimant  
17 FULCO FULFILLMENT, INC.

18 Dated: December 1, 2014

19 ERICKSEN ARBUTHNOT, et al.

20 By *s/ Sharon Lynn Hightower*  
21 SHARON LYNN HIGHTOWER  
22 Attorneys for Third-Party Defendant  
23 IDEAL JACOBS CORPORATION

1 Dated: December . 2014

2 STONE & ASSOCIATES

3 By /s/ Juliet MacMillin Lompa  
4 JULIET MACMILLIN LOMPA  
5 COLLETTE F. STONE  
6 Attorneys for Defendant,  
7 Cross-Claimant, Third Party Plaintiff  
8 PETER K FITNESS, LLC; and Defendant  
9 PETER T. KOFITSAS

10 Dated: December . 2014

11 LeClairRyan. LLP

12 By /s/ Michael Waughel  
13 MICHAEL WAUGHTEL  
14 CHARLES HORN  
15 Attorneys for Defendant, Cross-Claim Defendant,  
16 Cross-Claimant  
17 FULCO FULFILLMENT. INC.

18 Dated: December 18. 2014

19 ERICKSEN ARBUTHNOT. et al.

20 By *Sharon Lynn Hightower*  
21 /s/ Sharon Lynn Hightower  
22 SHARON LYNN HIGHTOWER  
23 Attorneys for Third-Party Defendant  
24 IDEAL JACOBS CORPORATION

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